



Department of Energy

Official File

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

SHARED SERVICES

April 12, 2002

In reply refer to: CILR4

Linda McKinney
KEC-4

Dear Ms. McKinney:

I am responding to your Freedom of Information Act request dated March 19, 2002. You requested copies of allegations (anonymous and signed) of timesheet fraud sent to Alexandra Smith from the period October 1, 2001, through March 15, 2002. BPA conducted a search and found only one document, which is not dated, but may be in the range of dates you requested. It is BPA's belief that no other documents sent to Alexandra Smith currently exist.

Enclosed is a copy of the releasable portions of the document that was located. However, the names of the persons mentioned in the document are being withheld from public disclosure under 5 U.S.C. § 552(b)(6) ("exemption 6") of the FOIA. Exemption 6 protects personnel, medical and similar files from disclosure when disclosure would result in a clearly unwarranted invasion of personal privacy. This exemption is intended to protect individuals from the injury and embarrassment that could result from an unnecessary disclosure of personal information.

In order to determine whether information should be withheld under exemption 6, an agency must (1) identify whether a privacy interest exists, (2) identify whether release of the document would further the public interest by shedding light on the operations and activities of the Government, and (3) weigh the identified privacy interests against the public interest as a whole in order to determine whether disclosure of the information would constitute a clearly unwarranted invasion of personal privacy.

First, we have determined that a privacy interest exists in this type of information. Employees accused of alleged wrongdoing have a privacy interest in protecting their names from the public. In a case where a person has simply been accused, particularly where the employees are not high level government employees and there is no widespread public interest in the alleged wrongdoing, the privacy interest is strong.

Second, we have determined that disclosure of this information would not further the public interest. Although there is a public interest in whether the government is investigating reports of alleged misconduct, releasing the names of the employees accused of the alleged misconduct would not reveal anything about how or whether BPA performs its statutory duties relating to this public interest.



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Second, we have determined that disclosure of this information would not further the public interest. Although there is a public interest in whether the government is investigating reports of alleged misconduct, releasing the names of the employees accused of the alleged misconduct would not reveal anything about how or whether BPA performs its statutory duties relating to this public interest.

Finally, we have weighed the individual privacy interests in withholding this information against the public interest in disclosing it. Because there is a privacy interest in this information and there is no public interest that would be served by disclosure, we find that disclosure would cause a clearly unwarranted invasion of personal privacy.

If you are dissatisfied with this determination, you may make an appeal within thirty (30) days of your receipt of this letter to Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, Washington, D.C. 20585. Both the envelope and letter must be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Tollefson", with a stylized flourish at the end.

Gene Tollefson
Freedom of Information Act Officer

Enclosure

bcc:

A. Smith – KE-4

C. Jacobson – LC-7

J. Bennett – LC-7

Official File – CILR (EX-13-13, #02-021)